



03500.015132

41

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KATSUHITO SAKURAI, ET AL.

Appln. No.: 09/783,556

Filed: February 15, 2001

For: IMAGE PICKUP APPARATUS

)
:
Examiner: Jeremy Ryan Elder
)
:
Group Art Unit: 2612
)
:
:
October 8, 2004
)

RECEIVED

OCT 14 2004

Technology Center 2600

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Applicants respectfully traverse the election of species requirement set forth in the Office Action dated September 8, 2004, requiring election of a species from among those shown in Figures 2-8.

A careful review of the specification reveals that the various species are closely related and would not require separate fields of search. Accordingly, neither Applicants nor the Patent and Trademark Office should be put to the trouble and expense entailed in multiple filing and prosecution. Moreover, it is respectfully submitted that the public at large should not be required to obtain and study separate patent documents in order to have available all of the issued patent claims covering the invention.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143,
Applicants provisionally elect the species represented by Figure 5. It is respectfully
submitted that Claims 1-7, 9-16, 18, and 19 read on the elected species.

Favorable consideration is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C.
office by telephone at (202) 530-1010. All correspondence should continue to be directed
to our address below.

Respectfully submitted,

Anne M. Maher
Attorney for Applicants
Anne M. Maher
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
AMM/agm

DC_MAIN 180716v1